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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

11/21/03

✓ M. Hant

In re Application of:

Holger RASMUSSEN

Serial Number: 09/435,718

Filed: November 8, 1999

For: WEB TRANSFER MECHANISM FOR
FLEXIBLE SHEET DISPENSER

Group Art Unit: 3724

Examiner: C. Dexter

Attorney Docket No. 009242.81029

REQUEST FOR RECONSIDERATION

RECEIVED

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TECHNOLOGY CENTER R3700

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

These remarks are responsive to the Office Action mailed August 27, 2003. Claims 1-14 are pending. Applicant acknowledges with appreciation the allowance of claims 4-6, and the indication that claims 7 and 8 are directed to allowable subject matter. Applicant requests reconsideration and allowance of the application.

The Office Action rejects claims 1 and 3 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,807,824 to Gains et al. This rejection is respectfully traversed. According to claim 1, a web-sensing member is movable between a web-present position and a web-absent position, which rests (in the web-present position) on a pre-feed portion of sheet material web spaced from the working roll and the main feed roller, and extending between the working roll and the main feed roller. Gains et al. fails to disclose such a structure. Gains et al. discloses a transfer mechanism in a balanced lever embodiment. (See, e.g., col. 1, lines 25-27; and col. 2,

lines 41-44). The lever includes a cradle 16 affixed to a turning bar 28 that rotates on axle 30(fulcrum). The other side of the lever includes a tucking element 32 affixed to the turning bar 28. The tucking element 32 serves to tuck sheet material from the reserve roll into the nip between rollers 24, 26. The tucking element 32 includes a rigid arm 33 with a tucker blade 34. (See col. 2, lines 33-44; and FIG. 2). To any extent that the cradle 16 may be considered a web-sensing member, the cradle 16 supports and retains the primary roll therein. (See FIGS. 4-5). Thus, the cradle 16 in the recited web-present position, does not rest on a pre-feed portion of the sheet material web spaced from the working roll and the main feed roller, and extending between the working roll and the main feed roller, as recited in claim 1.

Further, Gains et al. lacks a transfer arm, which is held in a set position by the stop arm, and which is released from the set position to move, independently of the stop arm, to a transfer position upon the stop arm moving into a second position. (See application, e.g., page 10, lines 17-19; Fig. 3.) There is no stop arm in Gains et al.'s balanced lever and damper mechanism. Gains et al. describes that as "the primary roll becomes depleted, the counterbalancing force of the roll decreases, causing the tucking element to gradually approach the leading end of the reserve roll until the element finally engages the end and introduces it into the nip." (see Abstract). To any extent that the tucking element 32 may be considered to include a stop arm, it is rigidly attached to the arm 33, and thus does not permit that arm 33 to move independently thereof, as recited in claim 1.

Claim 1 recites that the stop arm is a moveable between first and second positions, responsive to movement of the web-sensing member. Gains et al. discloses a damper mechanism

which serves “to counteract the tendency of the primary roll to momentarily rise up in response to a sudden pull on the primary roller sheet material.” (Col. 1, lines 39-42). The damper mechanism includes a cam 36 that engages a cam follower 38 affixed to the turning bar 28. (See FIGS. 4 and 6). Gains et al. describes that the damper mechanism functions so that when the primary roll sheet material 12 is “dispensed by being pulled forward, the force of the sheet material acts against a projection 40 of the cam 36 and [the force] is transferred to the cam follower 38 by a roller 42 forming part of the cam 36,” in order to keep the tucking element raised above the nip. (Col. 2, lines 50-56). To any extent that the projection 40 may be considered a web-sensing member, movement of the projection 40 does not enable a stop arm to move between first and second positions, such that arm 33 moves independently thereof, as recited in claim 1.

As described above, Gains et al. fails to teach the invention set forth in claim 1 (and claims 2-3 and 9-14 depending therefrom)¹. Accordingly, withdrawal of the rejection under 35 U.S.C. § 102(b) is respectfully requested. Claim 3 is also allowable in view of further distinguishing features recited therein. For example, claim 3 recites that the web-sensing member comprises a sensor plate that is pivotably mounted adjacent a first edge thereof, and that a second edge opposite the first edge contacts the pre-feed portion of sheet material web. There is no such sensor plate in Gains et al.’s balance lever and damper mechanism.

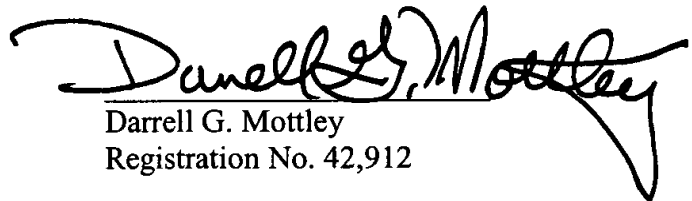
¹ It is noted that claims 2 and 9-14 have been withdrawn from consideration as being directed to a non-elected invention. Thus, applicant will not, at this stage, separately argue the patentability of those claims. It is respectfully submitted that upon allowance of claim 1, these withdrawn claims depending from claim 1 should be rejoined and also allowed.

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For all of the foregoing reasons, it is respectfully submitted that this application is now in condition for allowance. Should the Examiner believe that anything further is desirable in order to place this application in better form for allowance, he is respectfully urged to telephone Applicant's undersigned representative at the below-listed telephone number.

Respectfully submitted,


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